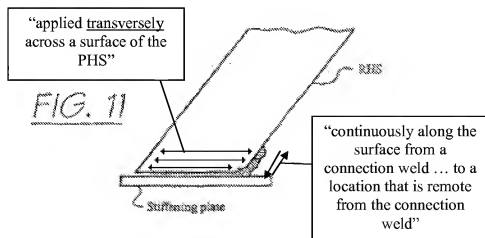


REMARKS

The Applicant wishes to thank the Examiner for his analysis of the pending claims. Claims 1-4 and 6-21 are pending in the application. Claim 21 is new. Claim 5 is cancelled and claims 1-4 and 6-20 are amended. No new subject matter has been added with these amendments.

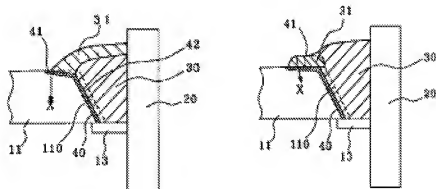
Claim 1 is directed to a method for welding a member and an end of a polygonal hollow section (PHS) to form a joint. As amended, the claim requires “forming a connection weld connecting the end of the PHS to the member.” A second weld is formed “by applying a plurality of weld beads transversely across a surface of the PHS.” Support for the transverse limitation can be found at, for example, page 6, lines 29-34. The claim also requires that the second weld extend “continuously along the surface [of the PHS] from a connection weld ... to a location that is remote from the connection weld such that, when a bending moment is applied to the joint, a greatest longitudinal normal strain occurs adjacent the remote location.” Support for this limitation can be found in the application at, for example, page 25, lines 12-21. These limitations are added to further define the connection weld and the second weld, and to better distinguish the claim from the prior art. Figure 11 of the present application shows an example of the method of claim 1 (shown below).



Claims 2-4, 6, 7, 9-16, 19 and 20 have also been amended to more clearly define the Applicant's invention and to better conform with U.S. practice. These amendments

are not intended to be narrowing. Original claim 8 required either a backward bead deposit sequence or a forward bead deposit sequence. As amended, claim 8 now only defines a backward bead deposit sequence, while new claim 21 defines a forward bead deposit sequence. New claim 21 has support in original claim 8.

The Office Action rejects claims 1-8, 10-17, and 19-20 as either anticipated or obvious in view of the Tadateru reference. However, claim 1 is patentable over Tadateru because the reference does not disclose, suggest, or teach applying a plurality of weld beads transversely across the surface of the PHS. As can be seen from the figures below, Tadateru shows a cross section of a weld.



This cross section does not show or explain how the weld was created, but only shows the cross section of the resulting structure. Claim 1 requires applying a plurality of weld beads transversely across the surface of the PHS and such an application of weld beads is neither disclosed nor suggested by the figures in Tadateru. Furthermore, the translation of Tadateru, which is submitted in an information disclosure statement on August 13, 2009, does not disclose applying a plurality of weld beads transversely across the surface of the PHS. For this reason alone, claim 1 is distinguished from the Tadateru reference.

Additionally or alternatively, claim 1 is patentable over Tadateru because Tadateru does not disclose extending a weld “continuously along the surface [of the PHS] from the connection weld ... to a location that is remote from the connection weld such that, when a bending moment is applied to the joint, a greatest longitudinal normal strain occurs adjacent the remote location.” As explained in the specification, extending the weld continuously to a remote location on the PHS redistributes strain from the corners of

the PHS to an adjacent flange. The claim requires extending the second weld such that a greatest longitudinal normal strain occurs adjacent the remote location. Such a redistribution of strain is not disclosed, suggested, or taught by Tadateru. The weld bead 31 in the Figures of Tadateru is described in the document as a “cosmetic” infill weld. In other words, its purpose is to hide the connection weld 30. It is not a weld that is in any way applied to cause “a greatest longitudinal normal strain” to occur “adjacent the remote location.” For this alternative reason, claim 1 is patentable over Tadateru.

The Linnert reference is asserted in combination with Tadateru against some dependent claims, but the Linnert reference also does not disclose applying weld beads transversely across the surface of the PHS or extending a weld to a remote location such that a greatest longitudinal normal strain occurs adjacent the remote location. Therefore, claim 1 is also patentable over the combination of Tadateru and Linnert.

Independent claims 17 and 18 also require “applying multiple weld beads transversely across a surface of the PHS” and therefore, these claims are patentable for the reasons stated above with reference to claim 1. All of the dependent claims are also allowable for similar reasons.

Claim 17 has also been amended to overcome the office action’s indefiniteness rejection. Claim 17 requires “applying multiple weld beads transversely across a surface of the PHS in a manner such that strain in at least one corner ... is redistributed to a flange that is adjacent to the at least one corner of the PHS.” This amendment clarifies that strain is distributed from at least one corner of the PHS to a flange that is adjacent to the corner. To redistribute the strain, the claim requires applying multiple weld beads transversely across a surface of the PHS. Contrary to the office action, the claim need not specify whether the corners are welded or whether the corners are round or square. As amended, the claim is unambiguous. Furthermore, the office action’s assumption that the weld “wraps around the corners adjacent to the flange and stops where the next flange begins” is inappropriate. The office action provides no basis for such an assumption.

All of the rejections have been addressed and the Applicant requests issuance of a notice of allowance. A three month extension of time is required for consideration of this response. Please charge deposit account number 19-4972 for the extension of time. If any additional fees are required for the timely consideration of this response, please further charge deposit the same account number.

Respectfully submitted,

/Jakub M. Michna, #61,033/

Jakub Michna
SUNSTEIN KANN
MURPHY & TIMBERS LLP
125 Summer Street, 11th Floor
Boston, MA 02110-1618
(617) 443-9292
Attorney for Applicants

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